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# Out of the frying pan ... how Britain lets down its most vulnerable migrants

Alan White details the failure of the UK Border Agency to help Margaret Nambi, and many others like her.

Margaret Nambi tells me why she left Uganda. She was at home with her husband and children when the soldiers burst in.

My husband was a soldier. He wanted to leave the Government army. He resigned. Then they attacked us in our house. They asked him where he was getting his money from, and claimed that he was in the pay of Joseph Kony. They kicked him to the floor. My children were shouting. They put a mattress over the children.

The writer Jane Bussmann has talked about how, when she heard a Ugandan describe the atrocities he had suffered, the subtle differences in how he used the English language brought the horror into sharper relief.

A soldier cut me with a knife. He raped me. Then another one joined in. He kept hitting me until I gave up. I was raped again. But this time at the back. I saw my husband on the floor. I thought he was dead. They saw him and panicked. They told me, you, lady, we'll come back tomorrow to deal with you. You knew your husband was supporting the Kony group and you didn't tell us. I was scared.

At 5am the next morning, she sent her children to their grandmother's village.

I covered my face in traditional dress and went to friend's house. My friend went to a doctor. I had treatment on an open wound on my chin. At the back there was another wound, which he treated with a cream.

I contacted a friend who was living in London. She phoned people who could help me get to England. My husband had given me money so I used that to escape.

Nambi arrived in England. At her initial interview with Border Agency (UKBA) officials, she didn't speak about being raped.

[In my screening interview] I was put in front of two men – I felt guilty. Now, I realise from the people I see around me that it's common, that I could have talked about it.

Her initial application was refused. She appealed, but her lawyers dropped her case. This was due to the new merits test, which allows them to pre-judge a case before a judge does. If you're deemed to have a less than 50 per cent chance of winning at appeal, you're not deemed to be entitled to legal aid. She had told the lawyer she was raped, but they chose not to gather any extra psychiatric evidence, so this was never considered at her hearing.

The woman who had purportedly helped Nambi escape to England expected her to do domestic work for her. Once her claim was dismissed, the woman was threatening to have Nambi deported. She told her to have sex with men, from whom she was taking money. Nambi managed to escape that situation only when the woman died in a car accident, and later went to the organisation Women Against Rape.

As Sian Evans from the organisation tells me:

Her asylum claim is closed, partly because of poor legal representation, which is quite typical. Cases of women not mentioning rape at the first time of asking are common, but instead of the difficulties they have about talking about this being taken into account, they're actually used against them. Women like Ms Nambi end up destitute, vulnerable to further rape and other exploitation by others.

With Women Against Rape's help, Nambi's new fresh claim for asylum was lodged on October 8th. It included evidence from a psychiatrist that corroborated the fact she was suffering from post-traumatic stress disorder as a result of rape, and documented evidence of the physical injuries she suffered. She was asked to report to the Border Agency the following day, and was taken into detention at Yarl's Wood Immigration Removal Centre.

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Yarl's Wood holds 900 inmates: at the time it was opened in 2001, it was the biggest in Europe. It is operated by the private contractor Serco. Since it opened, it has been dogged by controversy – most recently, on 11 January 2011, the High Court ruled that the continued detention of the children of failed asylum seekers at Yarl's Wood is unlawful.

In 2010, a hunger strike began when a number of women protested their indefinite detention. The hunger strike was escalated when, according to a Guardian report:

Seventy women taking part in a protest were locked in an airless corridor without water or toilet facilities.

Oddly enough, Crystel Amiss, from Black Women's Rape Action, has a similar story to tell me about what happened this week; a story which until now has gone barely reported.

Amiss claims that on Monday, one of the women with whom she was working was dragged out of the isolation centre naked, in order to force her removal. The other women were upset. They immediately reacted, and held a peaceful protest to demonstrate. Hundreds of them

immediately began to refuse their food at lunchtime, and again at evening. They demanded to meet directly with the UKBA.

Serco's management told them UKBA wouldn't meet with them unless it was one-by-one. The women refused, saying that these were divide-and-rule tactics. A stand-off continued into the second day. According to Amiss the women followed a manager, and they were immediately locked in the corridor that leads to the UKBA offices – exactly as happened two years ago. They were held there without food and water, and were let out a few at a time. There was a mix of women with illnesses and disabilities there. The stand-off continued for eight hours. Amiss says the centre was then placed on lockdown.

She says:

They just watched the women get more and more distressed and then picked out the ones they'd release. Now internet access has been blocked, and access to legal teams has been blocked. It can affect cases where women are on what's called the detained fast track – where the case can be decided within days. They're losing valuable time to research the information they require from the Internet or send paperwork to courts. The healthcare services are also on lockdown, and one woman has told us she hasn't been able to get the medication she requires for her PTSD.

When asked about the protests, a spokesman for UKBA said:

Detention is only ever used as a last resort after all attempts to encourage individuals to leave voluntarily have failed. No-one is detained for any longer than necessary, however there are those who prolong detention because of their attempts to frustrate the removal process. They must take responsibility for that. All detainees are treated with dignity and respect.

The agency also gave a very different description of the protest: it claims that the corridor was unlocked, and that the women were asked to return to their rooms but all declined. This description is a long way from the multiple reports coming in to Amiss. One wonders how long it will take for the truth to emerge.

Other worrying details have recently come out of Yarl's Wood. Only last week Private Eye ran a story about a Serco job ad from the detention centre seeking a "laundry assistant" – a job that pays £1.50 a day. As the magazine noted:

Not only does this provide the company with captive cheap labour, it can then make paltry savings on the toiletries and the other small necessities that the detainees, desperate for any income, will spend their money on. . . Not only does it flout minimum wage law for those who have a right to work, but it also breaches the Government's own punitive policy of not allowing failed asylum seekers the right to work.

According to Amiss, any women who've taken part in these protests have been sacked from this work.

In 2010, the journalist Melanie McFadyean visited the centre, in what she called a PR exercise on behalf of the centre which backfired. It seems the underlying issues haven't ever gone away. As she said at the time:
It's done in our name, paid for by our taxes, creating profits for private companies and their shareholders.

She then quoted Christopher Hyman, Chief Executive of Serco Group plc, which runs Yarl's Wood, announced on publication of profits last year:

We were awarded record level of contracts, entered a number of important new markets, and delivered a strong financial performance.

Research has found that 70 per cent of the women in the centre are rape survivors. That's why Amiss's organisation is so keen to see the Border Agency adheres to the guideline whereby victims of torture with independent expert evidence to back up their claim are not detained.

Evans says:

The Home Office said Ms Nambi was being detained because they're expecting to remove her imminently, but they hadn't even made a decision on her fresh asylum claim. It suggested they pre-judged the case. Another woman told us that a UKBA case worker summoned her in and told her 'It doesn't matter what your lawyer puts in – I'm going to turn you down.' It seems to me that they're only prepared to pay lip service to the law.

In Nambi's case, the law appears to have been flouted. How long would she be locked up in this centre for "immediate removal"? It was hard to say: Amiss's charity has several long-term detainees on its books, including one whose incarceration stretches back to May.

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In fact, it wasn't so long. Yesterday she received a decision: she will be flown back to Uganda on Thursday. UKBA say that nothing has been added to her case – even though they accept that she is reporting rape for the first time:

The fact that she may not be able to access the same support in Uganda is not a sufficiently compelling reason to justify allowing her to remain.

Evans says:

Whilst UKBA challenge some aspects of Ms Nambi's case it doesn't deny that she was raped. But it rejects expert evidence, including from us, about how severely traumatised Ms Nambi is and her inability to survive if sent back. We are helping Ms Nambi to fight on in the courts and stop her removal.